

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections in the Final Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

Interview Summary

On April 18, 2006, Applicants' representative held a telephone interview with Examiner Rickman to discuss the outstanding rejection. Applicants' representative explained that the elements that the Office Action had identified as being "critical" were simply preferred embodiments. The Examiner agreed with regard to those elements, but asserted that a "carbon-base protective layer" appeared to be required. Applicants' representative took the Examiner's suggestion under advisement.

Appreciation is expressed to Examiner Rickman for the courtesy extended to Applicants' representative in holding an interview after the Final Office Action.

Summary of Status of Amendments and Office Action

Claims 1-6, 8-10, 14, and 15 are pending in the application, and under consideration. Claims 1 and 8-10 are independent. Applicants have presently canceled claims 11-13 without prejudice or disclaimer regarding the subject matter recited therein.

Applicants note that the amendments to the formula recited in the claims and the specification has been made to correct the recitation of a numeral that should have been recited as a subscript: (O-CF₂) has been changed to (O-CF₂). The typographic error apparently occurred in the translation of the priority application. Support is found in the priority application.

Information Disclosure Statement

The Examiner indicates that the Information Disclosure Statement filed October 25, 2005 has not been considered because the application number on the Form PTO-1449, and the documents cited therein, do not correspond to the associated Information Disclosure Statement paper.

In response, Applicants respectfully submit that the IDS was properly filed and that, if any papers were not associated with the proper filing, the fault lies with the Patent Office and not with Applicants. Nevertheless, Applicants include herewith another copy of the Form PTO-1449 so that the Examiner may indicate consideration of the documents listed in the IDS.

Claim Rejections – 35 U.S.C. § 112, first paragraph

Claims 1-13 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement because the specification, while being enabling for a magnetic disc and a method of manufacturing magnetic discs having a carbon protective layer formed by plasma CVD and heated after coating by the lubricant, allegedly does not reasonably enable one skilled in the art to make and use a disc or method not having this layer.

Applicants respectfully disagree with the Office Action regarding this point. However, as this point was raised and discussed during the interview with the Examiner (as noted in the remarks above), and as the Examiner has withdrawn the rejection with regard to this point for the reasons as argued, it will not be discussed further.

During the interview, the Examiner also asserted that the recitation of “carbon-base” protective layer was a required element and needed to be added to the claims to

obtain allowance. In response, Applicants respectfully submit that a protective layer – as previously claimed – is enabled. However, solely in an effort to advance prosecution, Applicants have amended the claims to specify that the protective layer is a “carbon-base” protective layer. Accordingly, claims 11-13, which already recited that element, have been canceled.

Applicants respectfully submit that the claims satisfy the requirements of 35 U.S.C. § 112, first paragraph, and that the rejection should be withdrawn.

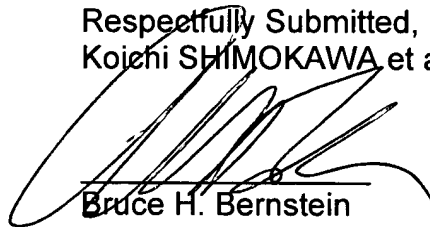
CONCLUSION

For the foregoing reasons, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested.

If any extension of time is deemed to be necessary to maintain the pendency of the application, the Patent and Trademark Office is hereby requested and authorization is hereby provided to charge any necessary fees to maintain the pendency of this application to Deposit Account No. 19-0089.

If the Examiner has any questions, or wishes to discuss this matter, the Examiner is respectfully invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Koichi SHIMOKAWA et al.



Bruce H. Bernstein
Reg. No. 29,027

Arnold Turk
Reg. No. 33094

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191